



USAID | WEST BANK/GAZA

FROM THE AMERICAN PEOPLE

January 21, 2009
2009-WBG-07

To: USAID/West Bank and Gaza Contractors, Grantees and Recipients

Subject: 90-day blanket Source, Origin and Nationality Waiver for the procurement of commodities and services limited to the Mission's Emergency Assistance for Gaza.

Reference: Mission Director's approval dated January 16, 2009.

Dear Implementing Partners:

The purpose of this letter is to inform you that as part of the Mission's emergency response to the crisis in Gaza, the Mission Director has approved the following:

1) Commodities for assistance for Gaza:

A source, origin and nationality waiver to authorize procurement of non-restricted and eligible commodities for assistance for Gaza from Geographic Code 935, and an approval for the procurement of selected ineligible commodities listed in Annex 1;

2) Services for assistance for Gaza:

A nationality waiver for services for assistance for Gaza from Geographic Code 000 to Geographic Code 941 and the Cooperating Country.

This waiver is subject to the limitations and other conditions listed below. This approval allows the Mission's implementing partners to procure commodities and acquire the services from the above listed authorized Geographic Codes for assistance for Gaza *without* requesting a separate waiver for each activity.

Use of the waiver is contingent upon the following conditions and limitations:

- This blanket waiver will be limited in duration for 90 calendar days from the date of approval. This waiver is therefore effective as of January 16, 2009 through April 16, 2009.
- This waiver is applicable only for procurement of commodities and services for assistance for Gaza.
- This waiver does not override the need to comply with the requirements of USAID's Automated Directives System (ADS) section 312 with respect to restricted commodities such as motor vehicles, pharmaceuticals, and agricultural products, among others listed in ADS 312.

- Except for those ineligible items listed under Annex 1 which have been approved during the 90-day period, this waiver does not permit the procurement of additional ineligible commodities described in the Commodity Eligibility List, which is a mandatory reference to ADS 312. The Commodity Eligibility List must be consulted to ensure that items are eligible for procurement. Separate waivers would need to be sought on a case-by-case basis in order to procure any additional ineligible items beyond those detailed in Annex 1.
- To the extent possible, preference should still be given to procurements of commodities and services of U.S. source, origin, and nationality where doing so will not cause undue delay in delivering the necessary results on the ground over the period of this waiver.
- Procurements may be made under this waiver authority only if the scope of work/program description and availability of funds for the specific acquisition/assistance instrument allows for such procurements to provide assistance for Gaza during the specified 90 day period.
- Acquiring services of a supplier beyond Geographic Code 941 or the Cooperating Country nationality will still require prior approval of USAID for a waiver under 22 CFR 228 subpart F on a case-by-case basis.
- All other terms and conditions of the specific agreements with USAID remain in effect, including without limitation the requirements set forth in Mission Order 21 dated October 3, 2007.

Should you have any questions regarding this letter please feel free to contact Ms. Reine Joubran, Acquisition Supervisor at rjoubran@usaid.gov.

Sincerely,



Roy Plucknett
Director, Office of Contracts Management
USAID / West Bank and Gaza

Attachment: Annex 1- A list of approved ineligible commodities for Mission's Emergency response in Gaza

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Annex 1. A list of Approved Ineligible Commodities for the Mission's Emergency Response in Gaza

General Category	Illustrative Commodities	Ineligible Item	Reporting Number ¹
<i>Commodities which facilitate water provision</i>			
	bottled water	✓	2201.10.0000
<i>Minor medical equipment and aids for institutional or individual use</i>	hearing aids	✓	9021.11.0000
	canes/walking sticks	✓	6601.10.0000
<i>Hygiene and cleaning materials for preventive health measures</i>			
	shampoo	✓	3302.90.0010
	hair brushes	✓	9603.29.0000
	toilet paper	✓	4803.10.0000
	plastic or aluminum utensils, tableware/kitchenware/household articles	✓	3924.10.0000 7615.10.2000
	plastic gloves	✓	3926.20.1010
	plastic buckets/pails	✓	3926.90.1000
	brooms	✓	9603.10.0000 9603.90.0000
	sponges	✓	0511.91.0000
<i>Disaster response supplies</i>	temporary shelters (tents)	✓	6306.21.0000
	hats	✓	6501.00.0000
	clothing	✓	6101.10.0000 6201.11.0000
	shoes	✓	6401.10.0000
	blankets	✓	6301.10.0000
	mattresses	✓	9404.10.0000
	bed linens	✓	6301.10.0000
	pillows	✓	9404.90.4000
	towels, cloth	✓	6301.10.0000
	towels, paper	✓	4818.10.0000
	electric space heaters	✓	8516.10.10.0040
	candles	✓	3406.00.0000

¹ Per USAID Commodity Eligibility Listing (ADS 312)

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Emergency school supplies			
	flipchart paper	✓	4818.50.0000
	notebooks	✓	4818.50.0000
<i>Emergency food support of canned and other non-agricultural food items</i>	vegetables (canned)	✓	0701.10.0000 0712.90.9000
	canned fish	✓	1601.00.0000
	canned meat	✓	1601.00.0000
	pasta	✓	1901.90.9500
	canned fruits	✓	0801.10.0000